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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

CEMENT MASONS TRUST FUND FOR  
NORTHERN CALIFORNIA; CEMENT  
MASONS VACATION-HOLIDAY TRUST  
FUND FOR NORTHERN CALIFORNIA;  
CEMENT MASONS PENSION TRUST  
FUND FOR NORTHERN CALIFORNIA; and  
CEMENT MASONS TRAINING TRUST  
FUND FOR NORTHERN CALIFORNIA,,

Plaintiffs,

vs.

SOAVE CONSTRUCTION, INC., formerly  
known as SOAVE-LEHRE  
CONSTRUCTION, INC., a California  
corporation; and MICHAEL ANTHONY  
SOAVE, an individual,

Defendants.

Case No.: 3:14-cv-01403 MEJ

**CASE MANAGEMENT CONFERENCE  
STATEMENT; ORDER THEREON**

**Date:** August 28, 2014  
**Time:** 10:00 a.m.  
**Ctroom:** B, 15<sup>th</sup> Floor  
Hon. Maria-Elena James

Plaintiffs provide this abbreviated Case Management Conference Statement.


On March 26, 2014, Plaintiffs filed their Complaint For Damages for Breach of Collective Bargaining Agreement, To Recover Unpaid Trust Fund Contributions, For Breach of Fiduciary Duty, And For Mandatory Injunction ("Complaint"). On April 7, 2014, service was effected on defendant Soave Construction, Inc. Soave Construction, Inc. failed to appear and on May 12, 2014 the Clerk of Court entered the default of Soave Construction, Inc.

On May 21, 2014, substitute service was effected on defendant Michael Soave by serving his wife, Martha Soave. On May 27, 2014, Michael Soave was also served by mail. Michael Soave failed to appear and on July 17, 2014 the Clerk of Court entered the default of Michael Soave. This matter is proceeding in default. Plaintiffs will have on file, by October 3, 2014, a motion for default judgment against both defendants.

Based on the above, Plaintiffs respectfully request that this Court continue the currently scheduled case management conference for approximately six weeks to allow plaintiffs to file their motion for default judgment against defendants.

DATED: August 20, 2014

BULLIVANT HOUSER BAILEY PC

By   
 RONALD L. RICHMAN  
 SUSAN J. OLSON  
 WILLIAM J. RUSTEEN

Attorneys for Plaintiffs

### ORDER

Pursuant to the Plaintiffs' request to continue the case management conference and good cause appearing:

IT IS HEREBY ORDERED that August 28, 2014 case management conference be continued to October 30, 2014 at 10:00 a.m., Courtroom B, 15<sup>th</sup> floor. A case management statement shall be filed seven (7) days prior. If plaintiffs have filed their motion for default judgment prior to the continued case management conference, the case management conference will be vacated.

DATED: August 21, 2014

By   
 HON. MARIA-ELENA JAMES  
 UNITED STATES MAGISTRATE JUDGE

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